

Docket No.: AB-210U

REMARKS/ARGUMENTS

Applicant has herein canceled claims 1-7 and 11-23. Three (3) claims remain pending in the application: claims 8-10, of which claim 8 is independent. Applicant respectfully requests reconsideration of the pending claims, in view of the amendments above and comments below.

Claim Rejections - 35 USC § 102

On page 2 of the Office Action, claims 1, 5-7, 11-16, 18 and 20-22 were rejected under 35 U.S.C. 102(e) as anticipated by Ishikawa et al (US-6,415,184). While not necessarily agreeing with this rejection, but in order to speed prosecution of the present application to issuance, each of these claims has been canceled by way of this amendment.

Claim Rejections - 35 USC § 103

On pages 2 and 3 of the Office Action, claims 2-4 and 17 were rejected under 35 U.S.C. 103(a) as unpatentable (obvious) over Ishikawa et al in view of Ansarinia (US-6,405,079). While not necessarily agreeing with this rejection, but in order to speed prosecution of the present application to issuance, each of these claims has been canceled by way of this amendment.

Claims 8-10, which were not discussed in the Office action, remain pending in the application. These claims are allowable over the cited art, as the addition of leads would destroy the function of the primary reference (Ishikawa). More specifically and as one of skill in the art would understand, the Ishikawa device, if it can be constructed at all, would be so

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delicate it would be damaged and unusable if an attempt was made to attach leads. Therefore, any attempt to combine the Ishikawa reference with prior art showing a leaded device would be improper, as the intended function of the primary patent reference would be destroyed.

Conclusion

In view of the foregoing, it is respectfully submitted that the rejections have been overcome and the pending claims are in condition for allowance. An indication of allowability of all pending claims, claims 8-10, at an early date is earnestly solicited.

The Examiner is invited to telephone the undersigned, Laura H. Bishop, at his convenience should any issues remain after consideration and entry of this response, in order to permit early resolution of the same.

Respectfully Submitted,

2004 Apr 22
Date

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